

**File #026-09:** A Zoning Map Amendment to include an Arts & Cultural Overlay District near and surrounding the downtown. (Map available for review at the Planning Office M-F between 8:00 a.m. and 5:00 p.m.). A Zoning Text Amendment to add Article 34 - Arts & Cultural Overlay District- into Part 3 of the City of Rockford Zoning Ordinance inclusive of the following language along with the associated reference text within the Table of Contents and Definition to be added to Article 91 as follows:

## **ARTS AND CULTURAL OVERLAY DISTRICT**

### **34-001 Purpose**

The purpose of the Arts and Creativity District Overlay is to facilitate improvements to land and structures within the district, and to encourage artistic, cultural and creative resources therein. This district overlays properties in areas already classified in other zoning districts. The overlay is designed to achieve the following objectives:

- 34-001-A To promote development and interest in the district.
- 34-001-B To allow a mix of artistic, cultural and creative uses.
- 34-001-C To allow a flexibility of uses and development standards.
- 34-001-D To implement and compliment the River District Framework Plan.

### **34-002 District Description**

The Arts and Creativity Overlay District shall apply to all properties located within the District as designated on the City of Rockford Zoning Map as “Arts and Cultural Overlay District”.

### **34-003 Permitted Uses**

Permitted uses, special uses, bulk regulations and parking regulations shall be those applicable for the underlying zoning district, except as specifically stated, permitted and/or prohibited within Sections 34-001 to 34-007.

### **34-004 Additional Permitted Uses**

Notwithstanding the prohibitions contained within other sections of this ordinance, the following uses shall be permitted within the Arts Creativity and Overlay District:

- (a) *Artist Work/Sales Space;*
- (b) *Artist Live/Work Space;*

### **34-005 Special Uses**

The City Council may approve a special use permit in accordance with the procedures contained within Article 63 permitting additional use(s), which promote, compliment or

encourage the purpose of the District. In making such a determination, the City Council shall consider the following factors:

- (a) Hours of operation;
- (b) Vehicular traffic;
- (c) The number of employees and other persons expected to be attracted to the use;
- (d) Other factors likely to affect the neighborhood in which it is located.

34-006            Signage

34-006-A        Authorized uses within the District are permitted to have signage in conformance with Article 51 of this Ordinance.

34-006-B        In addition, and notwithstanding the prohibition contained within Article 51, the commercial uses and permitted uses identified in Section 41-004 shall also be allowed one sandwich sign not to exceed 12 square feet in size (per side) to be located only upon private property.

34-006-C        Should the underlying zoning district be classified as residential, Artist Work/Sales Spaces and Artist Live/Work Spaces shall be permitted:

- (a) One low profile sign no more than 4 feet in height and 8 square feet in size, and
- (b) Temporary signs in accordance with section 51-007A (3) & (4)

All signage shall conform to the restrictions set forth in Article 31.

34-007            Parking and Loading

Parking and loading shall be required in conformity with Article 50 of this Ordinance. There shall be no additional parking or loading requirements for Artist Work/Sales Spaces and Artist Live/Work Spaces.

**Definition to be added to Article 91:**

Artist – An individual who practices in the creation, manufacture, exposition, display, sale, teaching, instruction, or assemblage of all art in any forms and media, including persons engaged in culinary arts (except as would qualify as a restaurant), painters (excluding painting contractors), sculptors, authors, screenwriters, playwrights, film makers, dancers, potters, weavers, jewelers, exhibitors, printers, costumers, musicians, photographers, architects, engineers, designers, computer programmers, video game developers, and other similar or related uses as approved by the Zoning Officer; excluding any individual engaged or in practice of operating a Sexually Oriented Business(s) as defined within this ordinance.

**Existing Definitions within Zoning Ordinance:**

**91-004 Artist Live Work Space**

A dwelling unit in which up to 50% of the floor area is used by the residents for the production, showing, and sale of art.

**90-003B Artist Sale or Work Space**

Floor space devoted to the production, showing, or sale of art. Typical uses include art galleries and artist studios, but not including art museums. Art museums are classified in the “Cultural Exhibits and Libraries” use category.